IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 7786 of 2004(B)

PETITIONER:

RANGAN. V.V., VALIYAPARAMBIL HOUSE,
AVANUR P.O., MUNDUR, THRISSUR.

BY ADV. SRI.P.VIJAYA BHANU
SRI.BIJU ZACHARIA. M

RESPONDENTS:

1. THE ASSOCIATE PROFESSOR AND HEAD,
   DEPARTMENT OF POMOLOGY AND FLORICULTURE,
   COLLEGE OF HORTICULTURE, VELLANIKKARA,
   THRISSUR.

2. THE ASSOCIATE DEEN, KERALA AGRICULTURAL
   UNIVERSITY, VELLANIKKARA, THRISSUR.

3. THE DIRECTOR OF RESEARCH, KERALA
   AGRICULTURAL UNIVERSITY, VELLANIKKARA,
   THRISSUR.

4. INDIA COUNCIL FOR AGRICULTURAL
   RESEARCH, NEW DELHI, REPRESENTED BY ITS
   CHAIRMAN.

R1 TO 3 BY SRI. RENJITH THAMPAN (SC)
ADV. SRI.B.RAMACHANDRAN, ADDL.CGSC
SRI.P.R.RAMACHANDRA MENON, ADDL.CGSC
SMT.P.JAYA, SC, AGRL. UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN O.P.NO.4707/2003 (I) DATED 1.12.2003.

EXT.P2: COPY OF THE ORDER NO.ESST (I) 2991/2003 DATED 3.2.2004 OF THE 2ND RESPONDENT.

EXT.P3: COPY OF THE ORDER NO. AH(4) 5477/97 (I) DATED 20.7.2000 OF THE 2ND RESPONDENT.

EXT.P4: COPY OF THE ORDER NO. R2-67453/98 DATED 30.11.1998 OF THE DIRECTORATE OF RESEARCH, KERALA AGRICULTURAL UNIVERSITY.

TRUE COPY

P.A.TO JUDGE

KURIAN JOSEPH, J.

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W.P.(C)NO.7786 OF 2004

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Dated this the 28th day of March 2007

JUDGMENT

Writ petition is filed with the following prayer:

> (i) issue a writ of mandamus or such other writ, order or direction commanding the respondents 1 to 3 to disburse the arrears of salary wages with interest from 1.4.1998 to 1.5.2000 according to the revised pay scale consequent on the revision of pay as per the Fifth Pay Commission Report to the petitioner forthwith.

2. In the counter affidavit it is stated that the University as per order dated 19.6.2000 has clarified that the daily wagers are not eligible for arrear of wages. According to the petitioner, the clarification is only dated 19.6.2000 and since disputed period is prior to the date of clarification namely 19.6.2000, petitioner is entitled to the arrears as per Exts.P3 and P4.

The writ petition is disposed of with a direction to the Registrar of the Kerala University to look into the grievance of

the petitioner and take appropriate action adverting to the contentions of the petitioner, some of which are referred to above. Petitioner may file an appropriate representation before the Registrar within a period of two months. Necessary action will be taken in accordance with law within another two months.

KURIAN JOSEPH, JUDGE

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